

RANDOLPH COUNTY CENTRALIZED PERMITTING ORDINANCE

INTENT: The purpose of this ordinance is to promote the health, safety, and general welfare of Randolph County by streamlining the development permit process through a centralized County permit office and by integrating all development data by parcel number into a computerized land records management system.

DEFINITIONS

For the purpose of interpreting the provisions of this ordinance the following terms are herein defined:

- A. Central Permit Office: A central office staffed with cross-trained para-professional technicians where a citizen can obtain all development permits or applications required for land use development. The central office and satellite branches are designed to make the permit process more convenient and streamlined for the public and to be a vital component of computerized County land records management.
- B. Land Records Management System: An integrated computerized land records management system is a collection of separately functioning land development sub-systems that allows the common maintenance of a parcel database. The system is used to maintain and allow access to computerized information generated by the scores of daily transactions involving land development and construction.
- C. Geographic Information System (GIS): A system of computer hardware and procedures designed to support the capture, management, manipulation, analysis, and display of spatially-referenced data designed to solve complex planning and management problems.
- D. Property Development Application: The application required prior to any development needing additional land use permits in the County. The development application determines location of property, tract owner, applicant, proposed development and special characteristics of the property. The development application allows computerized tracing of property throughout all stages of any development.
- E. Permit: An official document or certificate issued by Randolph County authorizing performance of a specified activity.
- F. Certificate of Compliance: A statement issued by a Building Inspector or an authorized administrator officer setting forth that the building structure and/or use complies with the State Building Codes and all other state and local laws applicable to the work.
- G. County Official: An employee of Randolph County charged with the authority to administer or issue permits as outlined in this ordinance.

- H. Administrative Officer: The administrative department head charged with managing those departments that issue permits, including but not limited to the Director of Inspections, the Zoning Administrator, the Director of Public Health, and the County Fire Marshal.

ARTICLE A

Adoption of Regulatory Codes by Reference

Section 1. Applicability

The provisions of this ordinance and of the regulatory/development codes herein adopted shall apply to the following:

- A. The location, design, materials, equipment, construction, reconstruction, alteration, repair, maintenance, moving, demolition, removal, use, and occupancy of every building or structure or any appurtenances connected to any building or structure;
- B. The installation, erection, alteration, repair, use and maintenance of plumbing systems consisting of house sewers, building drains, waste and vent systems, hot and cold water supply systems, and all fixtures and appurtenances thereof;
- C. The installation, erection, alteration, repair, use and maintenance of mechanical systems consisting of heating, ventilation, air conditioning and refrigeration systems, fuel burning equipment and appurtenances thereof; and
- D. The installation, erection, alteration, repair, use and maintenance of electrical systems and appurtenances thereof.

Section 2. State Building Codes/Development Regulations Adopted by Reference

All the provisions and appropriate volumes of the North Carolina State Building Code, General Construction, Standard Building Code; National Electrical Code; North Carolina Heating, Plumbing, Mechanical Codes; and appropriate State-required Fire Prevention Codes are hereby adopted and referenced, and made applicable to the jurisdiction of Randolph County as is they were set out in full herein. Copies of the Codes are on file with the Randolph County Register of Deeds.

All the provisions of the Randolph County Unified Development Ordinance (Zoning, Subdivision, Watershed, Flood) are hereby adopted and referenced and made applicable to the jurisdiction of Randolph County as if they were set out in full herein. Copies of the Unified Development Ordinance are on file with the Randolph County Register of Deeds.

All the provisions of N.C. General Statutes relating to Public Health rules concerning soils

evaluation, testing, and septic tank permits are hereby adopted, referenced, and made applicable to this ordinance as if they were set out in full herein.

In the event any ordinance of Randolph County is more stringent than the State Code herein above adopted and, having been approved by the North Carolina Building Code Council, said ordinance or ordinances shall be applicable rather than the State Code. In the event that State Codes are more stringent than Randolph County ordinances, the State Code shall be followed; and where local regulations are more stringent than state law, they shall be effective to the extent permitted by N.C. law.

Section 3. Compliance With Codes

All buildings or structures which are hereafter constructed, reconstructed, erected, altered, extended, enlarged, repaired, demolished or moved shall conform to the minimum standards of all State Codes or local County ordinances.

ARTICLE B

Central Permit Offices

Section 1. Organization of the Division

The Central Permit Offices shall be a function of the Department of Planning and Zoning and under the general supervision of the Planning Director. The Director shall develop and maintain adequate training programs and standards for Central Permit Office staff. The Director may designate Property Development Technicians, a Development Systems Coordinator, and other appropriately trained staff to insure the effective performance of the offices.

The Central Permit Offices shall consist of the primary office located in Asheboro and a satellite office located in Archdale. These offices will be connected by Land Records Management computer linkage with the Environmental Health Section of the Public Health Department. This allows transfer of applications for soil evaluations from the Central Permit Offices to the local Health Department for appropriate processing.

Section 2. General Duties of the Central Permit Office

The purpose of the Randolph County Central Permit Office is to streamline the development process and to make County regulatory and permit requirements more accessible and convenient to the public. The offices shall be staffed by technicians uniquely trained in all areas of land development requirements who will help guide the citizen through each stage of the permit process.

All County permits can be obtained from the offices. To add convenience for the public, septic land applications can also be completed at this central location, then forwarded to the Health Department for a lot evaluation for a sub-surface sewage disposal permit.

The Central Permit Office is a vital component of the Randolph County Land Records Management System, allowing the common maintenance of a parcel database as it relates to each stage of development.

ARTICLE C

Permitting Procedures

Section 1. Permits Required

No person shall commence or proceed with:

- A. The construction, reconstruction, alteration, repair, movement to another site, or removal of any building or structure;
- B. The installation, extension, or general repair of any plumbing system;
- C. The installation, extension, alteration, or general repair of any heating or cooling equipment system;
- D. The installation, extension, alteration, or general repair of any electrical wiring, devices, appliances, or equipment;
- E. The construction, erection, repairing, or repainting of any sign (unless exempted by zoning regulations);
- F. The installation or repair of any septic tank; or
- G. A soil evaluation for sub-surface sewage disposal system

without first securing from the designated County officials the following permits or applications as may be required:

- 1. Property Development Application: This shall be the beginning PERMIT application within Randolph County's Land Records Management System. It is required for any change of property use including zoning interpretation. The Central Permit Office Property Development Technicians shall identify and enter the following computerized information:
 - a. Location of property;
 - b. Land tract size and parcel identification number;
 - c. Owner of property;

- d. Applicant of the permit;
- e. Proposed use/development; and
- f. Special characteristics of property:
 - 1. zoning;
 - 2. floodplain;
 - 3. watershed; and
 - 4. water critical, etc.

The Property Development Application is required prior to the transmission of an Application for Soil Evaluation Test to the Health Department.

- 2. Zoning Permit: Gives final approval of special zoning requirements. A zoning permit is required prior to issuance of a septic tank permit by the Health Department.
- 3. Building Permit
- 4. Electrical Permit
- 5. Plumbing Permit
- 6. Heating/Air Conditioning Permit
- 7. Insulation Permit
- 8. Mobile Home Set-up Permit
- 9. Application for Soil Evaluation for Sub-Surface Sewage Disposal System
- 10. Improvement Permit

Section 2. Application for Permit

Written application shall be made for all permits required by this ordinance and shall be made on forms provided by the Central Permit Office. Such application shall be made by the owner of the building or structure affected or by his authorized agent or representative and in addition to other information as may be required by the Property Development Technician to determine whether the permit applied for should be issued, and shall show the following:

- A. Name, residence, and business of owner;

- B. Name, residence, and business address of authorized representative or agent, if any; and
- C. Name and address of the contractor, architect, or engineer, if any, together with evidence that he has obtained the proper certification from the appropriate state licensing board, if it be required from the work involved in the permit for which the application is made.

Section 3. Issuance of Permit

When proper application for a permit has been made and appropriate technician is satisfied with the application and the proposed work complies with the provisions of related laws or ordinances, he shall issue a permit upon payment of the proper fee as established by the Board of County Commissioners.

Contractors who qualify may be billed by the Inspection Department for permits. Prior approval must be obtained from the Building Codes Administrator before permits are issued in this manner. Qualifications and procedures for billing approval are set at the discretion of the Building Codes Administrator.

Section 4. Revocation of Permit

The appropriate inspector of code enforcement officer may revoke and require the return of any permit, after stating in writing, the reason for such revocation. Permits shall be revoked for any material departure from the approved application, plans, or specifications, for refusal or failure to comply with proper orders of the inspector, for refusal or failure to comply with requirements of County regulations or other regulatory codes, or for false statements or misrepresentations made in securing a permit.

Section 5. Time Limitations on Validity of Permit

All permits issued through the Central Permit Office shall expire by limitation six (6) months after the date of issuance if the work authorized by the permit has not been commenced. If after commencement the work is discontinued for a period of twelve (12) months, the permit shall immediately expire. No work authorized by any permit which has expired shall thereafter be performed until a new permit has been secured.

Septic Tank Permits issued by the Public Health Department shall have an expiration as provided by General Statutes, which is currently five (5) years.

Section 6. Changes in Work

After a permit has been issued, changes or deviations from the terms of the application and permit or changes or deviations from the plans or specifications involving any work under the jurisdiction of the County or of regulatory codes adopted shall not be made until specific written approval of such deviations has been obtained from the appropriate County official.

Section 7. Limitations on Issuance of Permits

- A. No building permit shall be issued for any building or structure for which the estimated total cost is more than \$30,000 unless the work is to be performed by a licensed general contractor.
- B. Where any provision of the General Statutes of North Carolina requires that work be done by a licensed specialty contractor, no permit for such work may be issued unless it is performed by a licensed specialty contractor. As outlined in G.S. 87-14, any contractor must be able to prove that he has paid the appropriate business privilege license tax.
- C. Where detailed plans and specifications are required under General Statutes, no permit shall be issued until such plans have been provided.
- D. No building permit shall be required as outlined by General Statutes for any construction, installation, repair, replacement, or alteration costing \$5,000 or less unless the work involves changes in load-bearing structures. Any on-site construction involving a load-bearing structure must obtain appropriate permits.
- E. No building permit shall be issued without first obtaining appropriate zoning and septic tank clearance.

Section 8. Exemption from Licensing Requirements

Pursuant to G.S. 87-1 and 87.43.1, appropriate licenses are not required for persons or firms who construct a building on land owned by that person, firm, or corporation when such building is intended for use by that person, firm, or corporation after completion, or to any person who is for himself installing, maintaining, altering, or repairing equipment upon his own property when such property is not intended at the time for rent, lease, or sale. Specific reference for exemption from contractor licensing requirements is also made to the appropriate N.C. General Statutes, which include G.S. 87.1; 87.43.1; and 87.21(5).

Section 9. Oversight not to Legalize Violation

No oversight or dereliction of duty on the part of any Property Development Technician, Building Inspector, or County official shall be deemed to legalize the violation of any provision of the applicable regulatory codes as adopted and enforced by Randolph County.

Section 10. Reports and Records

The Central Permit Office shall keep complete, permanent, and accurate records of all applications received, permits issued, and inspections and re-inspections made to insure that development is accurately maintained and reflected in the County Land Records Management System.

In addition to computerized records, each County inspector shall maintain individual records on daily work sheets.

The Health Department will be responsible for maintaining complete, permanent, and accurate records concerning Improvement Permits for Sub-Surface Sewage Disposal System, existing septic tank inspections, etc.

ARTICLE D

Inspection Procedures

Section 1. Inspections

The Randolph County Building Inspections Department, under the supervision of the Building Codes Administrator, shall inspect all buildings and structures and work therein for which a permit of any kind has been issued, as often as necessary in order to determine whether the work complies with appropriate codes.

All holders of permits, or their agents, shall notify the Central Permit Office at each of the following stages of construction so that approval may be given before work is continued:

- A. Footings and Foundation: To be made after trenches are excavated and the necessary reinforcement and forms are in place and before concrete is placed. Drilled footings, piles, and similar types of foundations shall be inspected as installed.
- B. Framing Inspection: To be made after all structural framing is in place and all roughing-in of plumbing, electrical, and heating has been installed, after all fire-blocking, chimneys, bracing, and vents are installed, but before any of the structure is enclosed or covered.

Poured-in-place concrete structural elements shall be inspected before each pour of any structural member.

- C. Electrical: Rough-in inspection to be made before any walls are covered. Finals are performed when all fixtures are in place.
- D. Plumbing: Rough-in inspections to be made before any walls are covered. Finals are performed when all fixtures are in place.
- E. Heating/Air-conditioning: Rough-in inspections to be made before any walls are covered. Finals are performed when all fixtures are in place.
- F. Insulation: Rough-in inspection with final approval after all plumbing, electrical, heating, and air-conditioning has been approved.

- G. Mobile Home Set-Up Inspection: This inspection is performed by the Electrical Inspector and includes tie-downs, blocking, steps, handrails, plumbing and water hook-ups, underpinning, and electrical.
- H. A Certificate of Completion for Septic Tank System shall be issued prior to final inspection and Certificate of Compliance.
- I. Final Inspection: To be made after all requirements of the N.C. Building Codes have been met and before the building is occupied.

Section 2. Policy Toward Timely Inspections

Randolph County attempts to conduct all inspections on the same day for requests that are received in the Central Permit Office by 8:30 a.m. All inspections requested after 8:30 a.m. will be performed no later than 5:00 p.m. the following working day, if possible. At no time should an inspection fail to be performed within three (3) working days from its request. No work shall be inspected until it is in proper and completed condition and ready for inspection. All work which has been concealed before the inspection and approval shall be uncovered at the request of the inspector and placed in condition for proper inspection. Approval or rejection of the work shall be furnished by the inspector in the form of a notice posted on the building or given to the permit holder or his agent. Failure to call for inspections or proceeding without approval at each stage of construction shall be deemed a violation of building codes and development requirements. Authorized Randolph County code enforcement and inspection personnel reserve the right to conduct inspections at any time to insure development is proceeding according to appropriate codes and procedures.

Septic Tank and Soil Evaluation Testing Applications shall be forwarded from the Central Permit Offices through computer linkage to the County Health Department. County Environmental Health Specialists shall conduct appropriate tests and evaluations in a manner consistent with the intent of this ordinance to streamline the development process and to provide services in a timely manner.

Section 3. Certificate of Compliance

At the conclusion of all work done under a permit, the appropriate Building Inspector shall make a final inspection, and if he finds that the completed work complies with all applicable State and local regulations and with the terms of the permit, he shall issue a Certificate of Compliance. A Certificate of Compliance cannot be issued by the Property Development Technician (or other authorized officer) until signed by a Building Inspector as in compliance with all required codes.

ARTICLE E

General Provisions

Section 1. Structure Addressing

Addressing Technician shall utilize the Computerized Land Records Management System and Geographic Information System when assigning a permanent address for a structure upon issuance of the Building Permit.

Section 2. Farm/Agricultural Buildings

Farm buildings located outside municipalities are not regulated by the State Building Code. Farm buildings shall include those structures other than residences and appurtenant structures thereto for on-farm use (barns, sheds, poultry houses, etc.). County Zoning regulations shall not apply to bona fide farms not impose any controls over crop lands, timber lands, pasture lands, orchards, poultry houses, or other farm buildings including tenants or persons working on farms, as long as such houses shall be in the same ownership as the farm and located on the farm.

Construction desiring farm exemption must complete an Agricultural Exemption Statement which will be maintained on file in Central Permit Offices.

Section 3. Permit Fees

Fees for permits shall be established by the Randolph County Board of Commissioners. A copy of the current Central Permit Program Fee Schedule is attached to this ordinance. Said schedule is a separate document, and modification of said schedule by the Board of Commissioners does not constitute an amendment to this ordinance.

Permits which have expired under limits established by this ordinance shall be charged the appropriate fee for renewal of such permit unless special and/or unique hardship can be documented and approved for fee exemption by the Director or Building Codes Administrator. Documentation of exemption shall be maintained by the County.

Section 4. Municipality Permit Fees

Randolph County will conduct North Carolina Building Code inspections within corporate limits of those municipalities located within the county whose governing bodies request of the Board of Commissioners such inspections. This centralized inspections program has proven cost-effective and personnel-efficient for both the County and participating municipalities. Building Permit and other required State Building Permit fees charged for development within cities shall be the same as that established by the Board of Commissioners within the county. By requesting County inspection services, the municipal governing body has consented to authorize permit fees established by the Board of Commissioners to be applied within city limits.

Section 5. Municipal Zoning Clearance

Each municipality enforcing zoning regulations must issue a zoning permit and clearance prior to the Central Permit Office=s issuance of a Building Permit within the municipality=s corporate or extra-territorial zoning jurisdiction.

Section 6. Administrative Standards

Whenever, in the course of administration and enforcement of this ordinance, it is necessary or desirable to make an administrative decision or interpretation, it shall be made so that the result will not be contrary to the spirit and purpose of this ordinance. In any interpretation and administration, the provisions of this ordinance shall be held to the minimum requirements for the promotion of the public health, safety, and general welfare.

Section 7. Land Records Management/Geographic Information Systems

The Central Permit Office and all related development agencies shall establish and maintain internal policies and procedures which contribute to the effective implementation of a computerized Land Records Management Program and any related Geographic Information System (GIS) as it involves common maintenance of separately functioning land development sub-systems.

ARTICLE F

Jurisdiction and Enforcement

Section 1. Jurisdiction

This Centralized Permitting Ordinance and related procedures are applicable to all territory within the development regulatory jurisdiction of the Randolph County Board of Commissioners. County Zoning and Building Inspections authority may apply to areas within municipal limits when specifically requested by the municipal governing body and approved through due process by the Randolph County Board of Commissioners. Public Health regulatory jurisdiction shall be that provided in N.G. General Statutes.

Section 2. Enforcement

A. Criminal Penalties:

Any person, firm or corporation who violates any of the provisions of this Ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined not exceeding \$500 dollars per each day of violation. Each day that a violation continues to exist shall be considered a separate offense, provided the violation is not corrected within thirty (30) days after notice of the violation has been given.

B. Civil Penalties:

1. The Administrative Officer, upon his determination that a violation of the Ordinance has taken place, shall send a notice of violation to the property owner, and if appropriate, the contractor, builder, and/or installer, at his last known

address by certified mail and shall simultaneously post said notice to the property. Said notice of violation shall set forth and shall set out what action the property owner should take to come into compliance within thirty (30) days of certified mailing and posting. If the violation continues or is not corrected within thirty (30) days, the Administrative Officer shall initiate proceedings for enforcement.

2. Violation of this Ordinance is a separate violation each day of its continuance. The Administrative Officer is empowered to assess up to a \$500.00 per day penalty for such violations beginning on the 31st day after the mailing and posting and accruing at the rate of up to \$500.00 per day each day thereafter.
3. The County may seek enforcement of this Ordinance and the collection of the assessed penalties in the nature of a debt and may apply for equitable relief through injunction, an order of abatement, or other equitable remedy in a civil action against the property owner, contractor, builder, installer, or any combination of the foregoing before the General Court of Justice on or after the 31st day following the mailing or posting of the notice referred to in (1) above, provided however, that if the Administrative Officer finds that a violation of this Ordinance exists and such violation(s) constitute an imminent threat or present danger to the health or safety of the general public and/or adjoining property owners, the County may immediately institute a civil action as referred to in (3) above without the mailing or posting of the notice referred to in (1) above. In such case, the penalty set out in (2) above shall not be assessed until the 31st day following service of civil process upon the alleged violator.
4. The County adopts all the authority and remedies available to it as set out and authorized by the State of North Carolina as set out in North Carolina General Statutes 153A-123 and 153A-324 to enforce this and all of its Ordinances.

Section 3. Effective Date

This Centralized Permitting Ordinance shall become effective November 4, 1991.

Upon motion of Commissioner Davidson, seconded by Commissioner Comer, the foregoing ordinance was passed by the following vote

Ayes: Frye, Langley, Davidson, Comer
Noes: None.

I, Alice D. Dawson, Clerk to the Board of the Randolph County Board of Commissioners, do hereby certify that the foregoing ordinance was introduced at the October 7, 1991 meeting and adopted at the November 4, 1991 meeting, a quorum being present.

This 4th day of November, 1991.

Clerk to the Board

This ordinance was amended March 11, 2002 by adding language to Article C, Section 3 to explain billing approval for qualifying contractors and deleting language from that section that makes the fee schedule a part of the ordinance; and by changing language in Article D, Section 6 that explains that the attached fee schedule is a separate document and may be modified without amending the ordinance.

This ordinance was amended February 7, 2005 by changing “9:00 a.m.” to “8:30 a.m.” in Article D. Section 2.

This ordinance was amended October 3, 2005 as follows:

- Under DEFINITIONS, “H. Administrative Officer” was added.
- Several Article headings were added/changed to better reflect the content of the sections that fall under them.
- Under Article F, “Section 2. Enforcement” was added to spell out criminal penalties set out by state law and to add a civil enforcement remedy.